VIRGINIA BOARD OF NURSING SPECIAL CONFERENCE COMMITTEE October 26, 2011

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was

convened at 9:30 A.M., on October 26, 2011 in Board Room 3, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Evelyn Lindsay, LPN; Chairperson

Allison Gregory, RN, LNP

STAFF PRESENT: Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director

OTHERS PRESENT: James Rutkowski, Adjudication Specialist

Two students from Bon Secours School of Nursing

CONFERENCES

SCHEDULED: Tanisha Towe, RN 0001-220543

Ms. Towe appeared, accompanied by attorney, Jon Joseph.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of

Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:18 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Towe. Additionally, Ms. Gregory moved that Ms. Mitchell and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its

deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 10:55 A.M.

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the

motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION: Ms. Gregory moved to issue an order of reprimand to Tanisha Towe and further

order Ms. Towe complete three National Council of State Boards of Nursing online courses: "Documentation: A Critical Aspect to Client Care"; "Sharpening Critical Thinking Skills"; and "Professional Accountability and Legal Liability

for Nurses".

The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Towe unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Towe within such time. If service of the order is made by mail, three

additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

The students left the meeting.

CONFERENCES SCHEDULED:

Christine New, LPN 0002-071062

Ms. New appeared, accompanied by attorney, Michael LaFayette.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:40 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. New. Additionally, Ms. Gregory moved that Ms. Mitchell and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:47 A.M.

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Gregory moved to close the case in the matter regarding Christine New and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations.

The motion was seconded and carried unanimously.

CONFERENCES SCHEDULED:

James Glenn, LPN 0002-081127

Mr. Glenn appeared.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 12:14 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Glenn. Additionally, Ms. Gregory moved that Ms. Mitchell and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 12:50 P.M.

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Gregory moved to issue an order making findings of fact and conclusions of law, but imposing no sanction on James Glenn. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. Glenn unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Glenn within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES SCHEDULED:

Karen Stephens, RN 0001-116379

Ms. Stephens appeared.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:32 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Stephens. Additionally, Ms. Gregory moved that Ms. Mitchell and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 1:47 P.M.

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Gregory moved to issue an order of reprimand to Karen Stephens and offer a consent order for indefinite suspension of her license until such time as she can appear before the Board and prove that she is safe and competent to practice. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Stephens and the Board.

CONFERENCES SCHEDULED:

Susan G. Prior, RN multistate privilege (Maryland license R15361)
Ms. Prior appeared, accompanied by her husband and attorney, E.J. Prior.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the

Code of Virginia at 3:20 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Prior. Additionally, Ms. Gregory moved that Ms. Mitchell and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 3:30 P.M.

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Gregory moved to refer the case regarding Susann Prior to the Board of Nursing or a panel thereof for a formal hearing. The motion was seconded and carried unanimously.

CONFERENCES SCHEDULED:

Kimberly Frayser, RN 0001-129011

Ms. Frayser appeared.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 4:15 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Frayser. Additionally, Ms. Gregory moved that Ms. Mitchell and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 4:31 P.M.

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Gregory moved to issue an order of reprimand to Kimberly Frayser and offer a consent order for indefinite suspension of her right to renew her license with said suspension stayed contingent upon verification of enrollment into the Health Practitioners Monitoring Program and payment of appropriate fees. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Frayser and the Board.

CONFERENCES SCHEDULED:

Kenyetta Manzie, LPN 0002-079454

Ms. Manzie did not appear.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 4:40 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Manzie. Additionally, Ms. Gregory moved that Ms. Mitchell and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 5:00 P.M.

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Gregory moved to issue an order to place Kenyetta Manzie on probation for one year employment as a practical nurse. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Manzie unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Manzie within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES SCHEDULED:

Tiffany Regan, RN 0001-208947

Ms. Regan did not appear.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 5:05 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Regan. Additionally, Ms. Gregory moved that Ms. Mitchell and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 5:10 P.M.

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Gregory moved to issue an order of reprimand to Tiffany Regan and offer a consent order for indefinite suspension of her right to renew her license. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Regan and the Board.

ADJOURNMENT:

The Board adjourned at 5:10 P.M.

Gloria D. Mitchell, RN, MSN, MBA Deputy Executive Director